

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: DEX-0214

Inventors: Macina et al.

Serial No.: 09/909,567

Filing Date: 20 July 2001


Examiner: Unknown

Group Art Unit: 1645

Title: Compositions and Methods Relating
to Lung Specific Genes

I, Nathan P. Letts, Registration No. 36,581, certify that this correspondence is being depositing with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231.

On this date, 10 September 2002


Nathan P. Letts, Registration No. 36,581

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

(XX) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above

RECEIVED

SEP 18 2002

TECH CENTER 1600/2900

#12
Plunkett
9/26/02

identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

- () In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

- () Certification in Accordance with §1.97(e) is set forth below; or

- () The fee of \$180.00 as set forth in §1.17(p) is attached.

- () In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(i)(1).

(XX) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith.

- () A copy of the of the PCT Search Report for PCT Application @@ which corresponds to the subject US application @@ is included.

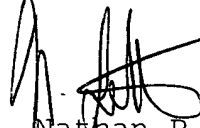
- () In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 (modified) are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark

Office in prior application Serial No. _____, filed
, for which a claim for priority under 35 U.S.C. §120
has been made in the instant application.

- () Due to the large size of some references, only
relevant portions have been submitted. The included
portions are as follows: @@ Full text of abbreviated
reference is available if requested.
- () Reference @@ is in a foreign language. Therefore, a
Geneseq Search report is attached to demonstrate
relevance.

Please charge any deficiency or credit any overpayment to
Deposit Account No. 50-0434. This form is submitted in
duplicate.

Respectfully submitted,



Nathan P. Letts
Registration No. 36,581

Date: 10 September 2002

DiaDexus, Inc.
343 Oyster Point Blvd.
South San Francisco, CA 94080
(650) 246-6400